

ALTER
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ATTORNEYS AT LAW

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RECEIVED

AUG 12 2016

TOWN CLERK/TOWN COUNCIL OFFICE
West Hartford, CT

701 Hebron Avenue
P.O. Box 1510
Glastonbury, CT 06033

August 12, 2016

860.652.4020 TELEPHONE
860.652.4022 FACSIMILE

Honorable Members of the West Hartford Town Council
Town of West Hartford
Town Hall
50 South Main Street
West Hartford, Connecticut 06107

RE:

Application of Lexham West Hartford Owner, LLC to Amend the West Hartford Code of Ordinances to Allow for an Increase in FAR in BC Zones.

Dear Mayor Cantor and Honorable Members of the Town Council:

Application is hereby filed on behalf of Lexham West Hartford Owner, LLC ("Lexham"), the owner of several properties in West Hartford Center, including property at 53-65 LaSalle Road. Lexham proposes to amend the West Hartford Code of Ordinances to add a new Section 177-16.11 entitled "Alteration of Floor Area Ratio Standard in BC Zones" to allow an increase in the floor area ratio up to 1.5 upon application to the Town Council of West Hartford for a special development district, all as set forth in the proposed ordinance and accompanying documents (together with this letter, the "Amendment Application").

Please accept this Amendment Application and schedule it for a public hearing.

Overview:

Lexham is strongly committed to the improvement of its properties in the Center to add value for it, its tenants and the community as a whole. In particular, it believes the development of residential units will support existing Center restaurants, shops, service providers and office uses by providing customers as well as more housing options in the Center for their employees.

Through the experience of owning, operating and reinvesting in its properties, Lexham has become acutely aware of the difficulty of further investment through new construction of a scale and design befitting the highly regarded character of the Center. Much of the existing development in the Center was constructed at a time before the zoning Code imposed floor area ratio standards, standards that would prevent the development of a number of key buildings today.

Lexham believes that by allowing an increase in the floor area ratio for buildings accommodating residential living above a commercial ground floor, and only after the Town Council's rigorous review of a special development district application subject to full public

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West Hartford Town Council
Lexham West Hartford Owner, LLC
Amendment to Code of Ordinances
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hearing and comment, the high design standards and promotion of walkable, vibrant, prosperous neighborhoods for which West Hartford is known, will be enhanced.

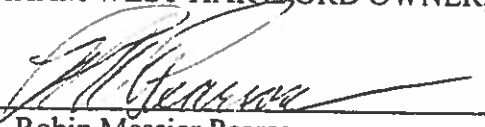
Lexham will be meeting with residential and commercial property owners in the Center over the next several weeks to introduce itself and this amendment proposal to them. Lexham intends to provide additional materials to its Center neighbors and to the Town Council to demonstrate the appropriateness of such a change for the beneficial future development of the Center. Lexham will report to the Council on its community outreach efforts in advance of a scheduled hearing on the Amendment Application.

We look forward to presenting this proposed ordinance to the Town Council in the near future.

Respectfully submitted,

LEXHAM WEST HARTFORD OWNER, LLC

By:


Robin Messier Pearson
Alter & Pearson, LLC
Its Attorneys and Authorized Agent

List of Enclosures:

- (a) Proposed Ordinance;
- (b) Affidavit of Interest and Authorization;
- (c) Application fee by check in the amount of \$760.00 payable to the Town of West Hartford.

September 7, 2016, Item # 6

TOWN COUNCIL

August 25, 2016

Alter & Pearson, LLC
ATTN: Robin Pearson
P. O. Box 1530
Glastonbury, CT 06033

Dear Ms. Pearson,

The Town Council at its meeting held on August 23, 2016 set for public hearing on September 27, 2016 at 6:30 p.m. in the Legislative Chamber and referred to Town Plan and Zoning and Capital Region Council of Governments the attached Ordinance Amendment Application on behalf of Lexham West Hartford Owner, LLC to Create a New Section for the Alteration of Floor Area Ratio Standard in the BC Zone.

Attachment: Ordinance

Sincerely,



Essie S. Labrot
Town Clerk/Council Clerk

cc: Ron Van Winkle, Town Manager
Pat Alair, Corporation Counsel
Kimberly Boneham, Assistant Corporation Counsel
Mark McGovern, Director of Community Services
Kevin Ahern, Chairman Town Plan and Zoning Commission
Todd Dumais, Town Planner
Lynne Pike DiSanto, Capitol Region Council of Governments



TOWN OF WEST HARTFORD 50 SOUTH MAIN STREET
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**An Ordinance Permitting Increased FAR
in the Central Business (BC) Zone**

WHEREAS the continued interest in commercial development opportunities within West Hartford Center supports a reevaluation of the current limitation on the floor area ratio standard; and

WHEREAS the desire for grand list growth within West Hartford Center must be balanced against the need to avoid expansion of the commercial center outward into residential neighborhoods; and

WHEREAS there is a particular benefit to encouraging further residential development within West Hartford Center in order to ensure continued year-round vibrancy, support existing businesses in the Center, and to increase pedestrian activity within that area; and

WHEREAS a limited increase in the permitted floor area ratio within the BC zone may promote development of sites which are currently underutilized, particularly infill site locations in the Center where development of structured underground parking will be required to support residential development.

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF WEST HARTFORD THAT the West Hartford Code of Ordinances is hereby amended to include a new section 177-16.11 Alteration of Floor Area Ratio Standard in BC Zones, as follows:

§177-16.11 Alteration of Floor Area Ratio Standard in BC Zones

The Town Council of West Hartford, through adoption of the Plan of Development, finds that areas zoned BC are characterized by physically and economically underutilized properties from the perspective of a suburban town center area and that these areas are also appropriate for residential development. It further finds that areas zoned BC are conducive to an increased floor area ratio to support residential development only if the impact on the Town's infrastructure, traffic circulation and parking, residential neighborhoods and community facilities is addressed satisfactorily. Accordingly, within the BC zones, the floor area ratio may be increased to 1.5 upon application to the Town Council for a special development district, provided that the following criteria, in addition to the criteria of § 177-44, are met:

- A. The Town Council must find that adequate parking exists to meet the needs of the proposed development.
- B. The Town Council must find that adequate street capacity exists on adjacent streets to accommodate the traffic projected to result from any increase in floor area ratio above that allowed as of right.

- C. The Town Council must find that appropriate bicycle and pedestrian amenities, such as but not limited to bicycle storage and/or parking, park benches and pedestrian walkways, are provided.
- D. The maximum floor area ratio may be increased up to 1.5 only if the floors above the ground floor are used for residential purposes.

Approved as to form and legality

Patrick Alair, Corporation Counsel